

AMENDMENT NO. 2 TO  
APPLICATION FOR AUTHORIZATION AND APPROVAL OF  
A PROJECT UNDER MASS. G.L. (TER. ED.) CHAPTER  
121A, AS AMENDED, AND CHAPTER 652 OF THE ACTS  
OF 1960

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The undersigned (the "Applicants") hereby amend their Application dated July 9, 1969, as amended by Amendment No. 1 of June 10, 1970, to the Boston Redevelopment Authority (the "Authority") pursuant to the provisions of Mass. G.L. (Ter. Ed.) Chapter 121A, as amended, the provisions of Chapter 652 of the Acts of 1960 and the rules and regulations issued by the Authority in the following respects:

1. The Applicants hereby request the Authority to convey to it Parcel II indicated on the attached plan entitled "Plan of Land, Boston, Mass., April 2, 1970, Harry R. Feldman, Inc." (the "Plan"), which parcel contains a total of 585.3 square feet and is presently owned by the Authority. The Applicants agree to pay therefor the price of Twelve Dollars (\$12) per square foot, the same price paid for adjoining land by Center Plaza Associates, for an aggregate payment of \$7,023.60.

2. The Applicants have agreed with Center Plaza Associates to purchase the parcels shown on the Plan as Parcels III, IVB and V containing an aggregate area of 3,260 square feet and to receive easements in the parcel shown as Parcel IVA and hereby join in the request of Center Plaza Associates that the Authority consent to conveyance of said Parcel V to the Applicants by the said Center Plaza Associates. This parcel, together with Parcels III and IVB constitute the location of the entrance to the joint ramp providing access to the garages of the Center Plaza building and to the building of the Applicants, which joint ramp will, under the agreement between the



Applicants and Center Plaza Associates, be constructed by the Applicants and used jointly.

3. Pursuant to the provisions of Section 11 of Chapter 121A, as amended, the Applicants hereby request the approval of the Authority for the taking of the land indicated as Parcel I on the Plan by eminent domain under Chapter 79 of the Massachusetts General Laws in accordance with the Order of Taking attached hereto as Exhibit I, which Order will be consented to by the City of Boston acting by its Mayor. The damages to be paid to said City by the Applicants will be Twelve Dollars (\$12) per square foot, or \$21,181.20, which damages are acceptable to said City. All such property consisting of 1,765.1 square feet is presently owned by the City of Boston in fee and constitutes the former location of a portion of a public way known as Pemberton Square, which public way has been discontinued by vote of the Public Improvement Commission of the City of Boston recorded February 10, 1970, in the Suffolk Registry of Deeds, Book 8343, Page 582. Said Parcel constitutes the location of a portion of the underground ramp entry to the garage under the Applicant's building. Following construction of said ramp entry, the Applicants will pave the surface of said Parcels I, II and III with brick in conformity with plans for said area approved by the Authority.

EXECUTED this 12<sup>th</sup> day of *August*, 1970, in the name and on the behalf of The Northern Assurance Company of America, The Employers' Fire Insurance Company, American Employers' Insurance Company and Employers Commercial Union Insurance Company of America, in each case thereunto duly authorized by vote of its Board of Directors.

THE NORTHERN ASSURANCE COMPANY  
OF AMERICA

By

*Frank J. Carey*



THE EMPLOYERS' FIRE INSURANCE  
COMPANY

By Frank J. Carey

AMERICAN EMPLOYERS' INSURANCE  
COMPANY

By Frank J. Carey

EMPLOYERS COMMERCIAL UNION IN-  
SURANCE COMPANY OF AMERICA

By Frank J. Carey

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

, 1970

On this 12<sup>th</sup> day of August, 1970, before me appeared Frank J. Carey, to me personally known, who, being by me duly sworn, did state that he was President of The Northern Assurance Company of America, The Employers' Fire Insurance Company, American Employers' Insurance Company and Employers Commercial Union Insurance Company of America and that the aforesaid Amendment No. 2 to the Application was signed on behalf of said corporations in each case by authority of its Board of Directors, and said Frank J. Carey acknowledged said Amendment No. 2 to the Application to be the free act and deed of each of said corporations.

Raymond P. Lavin  
Notary Public



## THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

## BOSTON REDEVELOPMENT AUTHORITY

THE NORTHERN ASSURANCE COMPANY OF AMERICA  
THE EMPLOYERS' FIRE INSURANCE COMPANY  
AMERICAN EMPLOYERS' INSURANCE COMPANY  
EMPLOYERS COMMERCIAL UNION INSURANCE COMPANY OF AMERICA

ORDER OF TAKING

WHEREAS, The Northern Assurance Company of America, The Employers' Fire Insurance Company, American Employers' Insurance Company and Employers Commercial Union Insurance Company of America (hereinafter referred to as "Employers") have filed an application with the Boston Redevelopment Authority (the "Authority") pursuant to the provisions of Massachusetts General Laws (Ter. Ed.) Chapter 121A, as amended, the provisions of Chapter 652 of the Acts of 1960, as amended, and the rules and regulations issued by the Authority, which application dated July 9, 1969, as amended by Amendment No. 1, dated June 10, 1970, has been approved by the Authority and the Mayor of the City of Boston; and

WHEREAS, said application calls for the development by Employers of a new home office building in the City of Boston and in connection therewith the construction of a garage, which garage is to have a ramp entry from Tremont Street in said City which ramp will proceed through Parcel I shown on a "Plan of Land, Boston, Mass., April 2, 1970, Harry R. Feldman, Inc.", recorded herewith, which Parcel is owned in fee by the City of Boston and constitutes a portion of a discontinued public way formally known as Pemberton Square; and

WHEREAS, the City of Boston acting by its Mayor will consent to the taking by Employers of the real property or rights



therein owned by the City of Boston in said Parcel I and has agreed to accept an award therefor in the amount of \$21,181.20.

WHEREAS, Employers in accordance with the provisions of Section 11 of the Urban Redevelopment Corporation's Law, Chapter 121A of the General Laws of Massachusetts (Ter. Ed.), and Chapter 652 of the Acts of 1960, as amended, has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, Section 40;

NOW, THEREFORE, BE IT ORDERED that The Northern Assurance Company of America, The Employers' Fire Insurance Company, American Employers' Insurance Company and Employers Commercial Union Insurance Company of America, acting pursuant to the approval of the Boston Redevelopment Authority hereby granted and under the provisions of said Urban Redevelopment Corporation's Law, and without limiting the generality of the foregoing, of Section 11 of General Laws (Ter. Ed.), Chapter 121A and Chapter 652 of the Acts of 1960, as amended, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.), Chapter 79, and of any and every power and authority to it, granted or implied, hereby take for themselves in fee simple by eminent domain for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in "Annex A" together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 7, as amended, awards are hereby made by the Boston Redevelopment Authority



for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in "Annex A" and entitled to any damages by reason of the taking hereby made as follows: the sum of \$21,181.20.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority and The Northern Assurance Company of America, The Employers' Fire Insurance Company, American Employers' Insurance Company and Employers Commercial Union Insurance Company of America have caused the respective corporate seals to be hereto affixed and these presents to be signed in their names and on their behalf.

DATED:

BOSTON REDEVELOPMENT AUTHORITY  
By:

(SEAL)

ATTEST:

\_\_\_\_\_  
Secretary of the Boston  
Redevelopment Authority

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel  
Boston Redevelopment  
Authority



THE NORTHERN ASSURANCE COMPANY  
OF AMERICA

By \_\_\_\_\_

THE EMPLOYERS' FIRE INSURANCE  
COMPANY

By \_\_\_\_\_

AMERICAN EMPLOYERS' INSURANCE  
COMPANY

By \_\_\_\_\_

EMPLOYERS COMMERCIAL UNION IN-  
SURANCE COMPANY OF AMERICA

By \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Corporation Counsel

The CITY OF BOSTON hereby con-  
sents to the Taking Order herein-  
above set forth, agrees to accept  
the award of \$21,181.20 made by  
the Boston Redevelopment Authority  
as payment in full for any damages  
by reason of the taking hereby  
made and waives any rights it may  
have under Section 7 of Chapter  
121A of the General Laws to sub-  
scribe for stock.

By: ITS MAYOR

\_\_\_\_\_  
KEVIN H. WHITE



## ANNEX A

### Description of Premises

All of that parcel of land in the City of Boston, Suffolk County, The Commonwealth of Massachusetts, shown as Parcel I on a plan entitled "Plan of Land, Boston, Mass., April 2, 1970, Harry R. Feldman, Inc." recorded herewith, and bounded and described as follows:

Beginning at a point on the Southerly boundary line of Boston Redevelopment Authority Parcel 12D, this point being East Twenty-Seven and Eighty-Four One-Hundredths (27.84) feet from the Easterly property line of the Suffolk County Court House. Then running South  $79^{\circ} 14' 20''$  East along said boundary line Twenty-Seven and Eighty-Six One-Hundredths (27.86) feet to a point, this point being on the Northwest corner of a registered land parcel (L.C. Case #20439) now or formerly the property of The Northern Assurance Company of America et al. Then turning and running South  $14^{\circ} 07' 00''$  West along the Westerly property line of said Registered Land parcel Thirty-Eight and Ninety One-Hundredths (38.90) feet to a point, this point being on the Northerly property line of said Registered Land parcel. Then turning and running North  $76^{\circ} 25' 47''$  West along said Northerly property line Fifty-Eight and Seventeen One-Hundredths (58.17) feet. Then turning and running South  $87^{\circ} 33' 42''$  West along said property line Forty and Sixty-Nine One-Hundredths (40.69) feet to a point, this point being on the Southerly side line of Pemberton Square. Then turning and running North  $77^{\circ} 22' 55''$  East Sixty-Six and Thirty-Five One-Hundredths (66.35) feet to a point. Then turning and running North  $41^{\circ} 25' 28''$  East Twenty-Two and Two Hundredths (22.02) feet to the point of beginning.

This parcel of land contains 1765.1 square feet.



